

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DEFENDANT'S MOTION FOR LEAVE TO FILE MOTION IN LIMINE LATE

Defendant George Schussel moves for leave to file a motion in limine four days after the time specified by the Court for such motions. As reasons therefor, defendant states:

On November 9, 2006, the government forwarded its Fed. R. Evid. 404(b) disclosures to defense counsel, which included the following generalized description as being among the evidence that may be introduced at trial:

“Evidence of defendant’s use of Jellicle Investors, Inc. to improperly deduct personal expenses during the early to mid 1990’s.”

The details underlying the government's nonspecific Rule 404(b) disclosure were only just revealed by the government in meaningful detail during a conference held this very morning, December 20, 2006. Now with the benefit of a more complete disclosure, defendant is in a position to file an informed motion in limine seeking exclusion of this evidence at trial.

Defendant therefore requests leave to file his motion in limine this day, four days late.

By his attorneys,

/s/ Martin G. Weinberg
Martin G. Weinberg
BBO No. 51940
Oteri, Weinberg & Lawson, P.A.
20 Park Plaza, Suite 905
Boston, MA 02116
Tel. (617) 227-3700

Dated: December 20, 2006

/s/ Francis J. DiMento
Francis J. DiMento
BBO No. 125000
DiMENTO & SULLIVAN
7 Faneuil Marketplace, 3rd Floor
Boston, MA 02109
Tel. (617) 523-2345

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on December 20, 2006.

/s/ Francis J. DiMento